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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,180	08/07/2003	Y. Jeff Hu	303.808US2	1763
21186	7590	02/20/2004	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			NHU, DAVID	
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/636,180

Applicant(s)

HU, Y. JEFF

Examiner

David Nhu

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) 25-51 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-24 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/163,289.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 0104.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAIL ACTIONS

Claim Rejections - 35 USC § 112

1. Claims 4, 11, are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

It appears that the original specification does not have support for "to cause an average grain size therein, and wherein $0.1 W == 10 W$ as cited in claim 1; combinations thereof, wherein and $0 < x = 1.8$, wherein and $0 < x = 2.5$ ", which were not described in the specifications.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-24 are rejected under 35 U.S.C. 102 (b) as being anticipated by Srinivas et al (6,524,952 B1) and Givens et al (6,057,231).

Regarding claim 1, Srinivas, figures 1-5, and related text on col. 1-14, (figures 4f-4h, col. 10, lines 11-64), disclose a processor comprising: PVD forming a refractory metal silicide first film 406 above a conductive plug 410; forming a refractory metal silicide nitride second film 408 above the refractory metal silicide first film; and PVD forming a refractory metal third film 410 above the refractory metal silicide nitride second film.

Regarding claims 2-14, Srinivas, figures 1-5, col. 1-14.

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Regarding claim 15, Givens, figures 1-7, and related text on col. 1-18, (figures 3-7, col. 6, lines 30-67, col. 7, lines 1-67, col.8, lines 1-67), disclose a processor comprising: PVD forming a refractory metal silicide first film 30 above a conductive plug 16; PVD forming an titanium nitride second film 24, 26 above the refractory silicide first film; and forming a refractory third film 28 over the titanium nitride second film.

Regarding claims 16, 18-20, 22-24, Givens, figures 1-7, col. 1-18.

Allowable Subject Matter

4. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 17 includes allowable subject matter since the prior made of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed limitations.

Because Givens and Srinivas taken individually or in combination, do not teach wherein the conductive plug includes a characteristic dimension and wherein forming the refractory metal third film is carried out under conditions to cause an average grain size therein, and wherein the average grain size is **in range from about one-tenth the characteristic dimension** to larger than the conductive plug characteristic dimension.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Thakur'806, Givens'735, Li'471, Hu'246 are cited as of interest.

6. A shortened statutory period for response to this action is set to expired 3 (three) months

from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see 710.02 (b)).

7. Any inquiry concerning this communication on earlier communications from the examiner should be directed to David Nhu, (571)272-1792. The examiner can normally be reached on Monday-Friday from 7:30 AM to 5:00 PM. The examiner's supervisor, David Nelms can be reached on (571)272-1787.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

David Nhu



January 20, 2004

